



SDMS DocID 443276

Superfund Records Center

SITE: 0606-APK-303

DEK: 17.2

CONSENT FOR ACCESS TO PROPERTY: 4-20

NAME:

North American Dismantling Corp. ("NADC")
380 Lake Nepessing Road
Lapeer, MI 48446-0307

**DESCRIPTION OF
PROPERTY:**

Land located off of Bridge Street in Berlin, New Hampshire, described more specifically as the "Investigation Area and Access Right-of-Way - Berlin Tax Parcel 129-54.001, Berlin, New Hampshire," as set forth in the Attachment A Hereto.

I (We) consent to the officers, employees, agents, contractors, subcontractors, consultants, and other authorized representatives of the United States Environmental Protection Agency ("EPA") and the New Hampshire Department of Environmental Services ("NHDES") entering and having continued access from February 1, 2009 through February 1, 2011, to the above-referenced property for the following purpose(s):

- (1) taking plant, animal, soil, groundwater, surface water and air samples as may be determined necessary;
- (2) sampling any solids or liquids stored or disposed of on the property;
- (3) drilling or excavating holes and the installation of monitoring wells for subsurface investigation;
- (4) taking other actions related to the investigation of surface or subsurface contamination;
- (5) construction of a temporary staging area adjacent to the Cell House Parcel and from which remedial investigation activities on the Cell House Parcel and the Extended Area of Investigation may be undertaken;
- (6) conducting response actions to mitigate any hazards as determined by EPA; and
- (7) taking any other response actions or evaluating the need to take other response actions.

CONSENT FOR ACCESS TO PROPERTY

Page 2

I (We) understand that EPA will, insofar as it is practicable, provide copies of final sampling and/or remedial work plans concerning any work on the property, prior to the commencement of the work on the property under the work plan. These work plans will be provided to the contact listed below, or to such other contact as may be designated by NADC in the future.

I (We) understand that EPA will make available copies of reports generated about the site once they are final and, upon request from NADC or its representative, copies of data once it has gone through the sampling quality control process. Additionally, NADC may, by request and its agreement to pay the cost thereof, observe EPA's work and, receive a split sample from any samples collected on its property.

I (We) understand that EPA will whenever practicable leave NADC's property in the same condition it was in before EPA entered upon it.

I (We) realize that these actions by EPA are undertaken pursuant to EPA's response and enforcement authorities under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended, 42 U.S.C. § 9601 *et seq.*

I (We) give this written permission voluntarily with knowledge of my (our) right to refuse and without threats or promise of any kind.

3-16-09
Date


Signature of Owner's Authorized Representative

Name: Rick Marcicki, as a Duly Authorized
Officer of NADC, and not personally

Title: President, NADC

Contact: Jack P. Crisp, Jr., Esq.
Wiggin & Nourie, P.A.
670 N. Commercial St., Suite 305
P.O. Box 808
Manchester, NH 03105
(603) 669-2211

Attachment A

Description for investigation Area and Access Right-of-Way – Berlin Tax Parcel 129.54001, Berlin, New Hampshire.

The following described Investigation Area is located on the east side of the Androscoggin River, on the south side of Bridge Street, and on the west side of Hutchins Street in Berlin, New Hampshire.

Beginning at a point on the easterly edge of the Androscoggin River located S07°20'30"W 509.32 feet distant from the centerline of Bridge Street at the easterly abutment of the bridge.

Thence N90°00'00"E for 479.57 feet to a point on the westerly sideline of Hutchins Street.

Thence southerly along the westerly sideline of Hutchins Street the following nine courses:

1. S19°45'00"W for 64.47 feet to a point.
2. S69°20'08"E for 6.78 feet to a point.
3. Arc of a curve to the left for 149.46 feet to a point. Said curve has a radius of 871.37 feet and a long chord of S03°54'53"W, 149.27 feet.
4. S00°59'56"E for 857.54 feet to a point.
5. Arc of a curve to the right for 116.18 feet to a point. Said curve has a radius of 4970.00 feet and a long chord of S00°19'45"E, 116.18 feet.
6. S00°20'25"W for 391.24 feet to a point.
7. Arc of a curve to the left for 99.25 feet to a point. Said curve has a radius of 5030.00 feet and a long chord of S00°13'29"E, 99.25 feet.
8. S00°47'24"E for 386.06 feet to a point.
9. Arc of a curve to the right for 169.88 feet to an iron pin. Said curve has a radius of 4970.00 feet and a long chord of S00°11'21"W, 169.88 feet.

Thence N76°24'28"W along the northerly line of lots in Napert Village for 122.45 feet to an iron pin.

Thence N81°11'28"W for 1134.23 feet to an iron pin at land of Great Lakes Hydro America, LLC, Riverside Dam Parcel.

Thence S51°24'20"W along land of Great Lakes Hydro America, LLC, Riverside Dam Parcel for 23.77 feet to a point on the shore of the Androscoggin River.

Thence northerly along east shore of the Androscoggin River for approximately 805 feet to a point.

Thence along a parcel of land known as the "Cell House Site" owned by Pulp of America, LLC the following six courses:

1. S81°17'09"E for approximately 257 feet to a point.
2. N84°21'14"E for 76.29 feet to a point.
3. N17°49'47"E for 163.16 feet to a point.

4. N10°01'47"E for 192.61 feet to a point.
5. N14°23'03"W for 226.15 feet to an iron pin.
6. N31°02'20"E for 135.73 feet to a point.

Thence S47°45'25"E along Great Lakes Hydro America, LLC, the Sawmill Dam parcel for approximately 26 feet to a point.

Thence southerly along the westerly shore of a water intake channel for approximately 290 feet to a point.

Thence S89°36'11"E along the northerly wall of a gate house structure for 18.00 feet to a point.

Thence northerly along the easterly shore of the water intake channel and the easterly shore of the Androscoggin River for approximately 1210 feet to the point of beginning.

Together with a 50 foot wide access Right-of-Way for the benefit of the above described Investigation Area and Berlin Tax Parcel 128-262 (a.k.a. Cell house site), and being 25 feet either side of the following described centerline:

Beginning at a point on the southerly sideline of Bridge Street and being approximately 485 feet easterly of the Androscoggin River.

Thence along the following nine courses:

1. Arc of a curve to the right for 195.84 feet to a point. Said curve has a radius of 650.00 feet and a long chord of S15°38'07"W, 195.10 feet.
2. S24°16'01"W for 297.17 feet to a point.
3. Arc of a curve to the right for 211.64 feet to a point. Said curve has a radius of 600.00 feet and a long chord of S34°22'20"W, 210.55 feet.
4. S44°28'38"W for 86.13 feet to a point
5. Arc of a curve to the left for 304.10 feet to a point. Said curve has a radius of 450.00 feet and a long chord of S25°07'04"W, 298.34 feet.
6. S05°45'31"W for 529.38 feet to a point.
7. Arc of a curve to the right for 68.48 feet to a point. Said curve has a radius of 77.50 feet and a long chord of S31°04'14"W, 66.27 feet.
8. Arc of a curve to the right for 44.78 feet to a point. Said curve has a radius of 27.50 feet and a long chord of S76°58'14"E, 39.99 feet.
9. N30°19'26"W for 31.30 feet to a point on the easterly line of Berlin Tax Parcel 128-262.

Meaning and intending to describe an Investigation Area containing approximately 38 acres and an Access Right-of-Way as shown on York Land Services, LLC plat No. 08-017A titled "Investigation Area on land of North American Dismantling Corp., Tax Map 129, Parcel 54.001, Berlin, New Hampshire" dated November 20, 2008.

All courses of this description are based on angles referenced to New Hampshire State Plane grid, NAD83.